

1 XAVIER BECERRA
2 Attorney General of California
3 WILLIAM C. KWONG
4 Supervising Deputy Attorney General
5 ANNE E. WADDELL, State Bar No. 311388
6 ALLISON M. LOW, State Bar No. 273202
7 Deputy Attorneys General
8 455 Golden Gate Avenue, Suite 11000
9 San Francisco, CA 94102-7004
10 Telephone: (415) 510-3589
11 Fax: (415) 703-5843
12 E-mail: Allison.Low@doj.ca.gov
13 *Attorneys for Specially Appearing Defendant*
14 *Williams*

15
16
17 IN THE UNITED STATES DISTRICT COURT
18 FOR THE NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20
21
22
23
24
25
26
27
28

CHARLES A. MILLER,	Plaintiff,	3:16-cv-02431 EMC
v.		STIPULATED REQUEST TO CLARIFY
CALIFORNIA DEPARTMENT OF		THE COURT'S DOCKET RE:
CORRECTIONS AND		DEFENDANT WILLIAMS
REHABILITATION, et al.,		[PROPOSED] ORDER
	Defendants.	

29 TO THE HONORABLE JUDGE EDWARD M. CHEN:

30 The parties met, conferred, agreed, and hereby jointly request that the Court remove Dr. G.
31 Williams from its docket as an active Defendant.

32 Plaintiff Charles A. Miller filed this action in Monterey County Superior Court and
33 claimed, in relevant part, that Dr. Williams provided inappropriate care, consultation, and
34 treatment of Plaintiff's knee condition during a telemedicine appointment on or about July 30,
35 2015. (ECF No. 1-2 at 8.) Following Defendants' removal of the action to federal court, this
36 Court screened Plaintiff's complaint and found cognizable against Dr. Williams two claims under

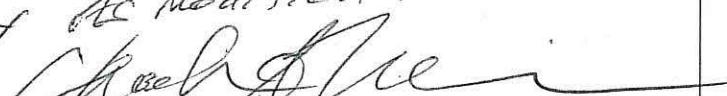
1 the Eighth Amendment for deliberate indifference to Plaintiff's allegedly serious medical needs
2 for (1) a total-knee replacement surgery and (2) adequate pain medication. (ECF No. 30 at 4-5.)

3 On January 24, 2018, the Court granted in part Defendants' summary-judgment motion.
4 (ECF No. 134.) The Court found "no reasonable jury could find in favor of [Plaintiff's] claim
5 that Dr. Williams acted with deliberate indifference to his serious medical needs" with respect to
6 his allegedly inappropriate handling of Plaintiff's request for total-knee-replacement surgery. (*Id.*
7 at 24-25.) The Court further found that Dr. Williams was entitled to qualified immunity for
8 Plaintiff's total-knee-replacement claim, and also that all Defendants were entitled to qualified
9 immunity for Plaintiff's pain medication claims under the Eighth Amendment. (*Id.* at 31-32, 36.)

10 The parties thus agree that Plaintiff maintains no active claims against Dr. Williams and Dr.
11 Williams should be removed from the Court's docket as an active Defendant.

12
13 Dated: June 12th, 2018

Respectfully submitted,

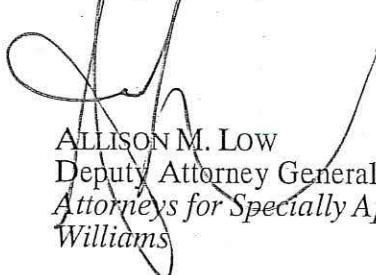
only as modified


CHARLES A. MILLER
Plaintiff in Pro Se

17
18 Dated: June 12 2018

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
WILLIAM C. KWONG
Supervising Deputy Attorney General
ANNE E. WADDELL
Deputy Attorney General

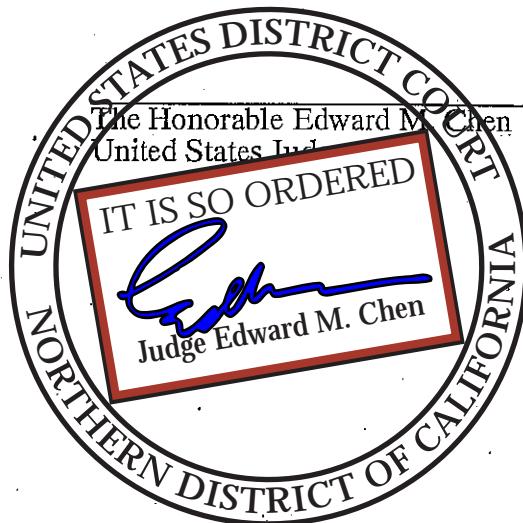

ALLISON M. LOW
Deputy Attorney General
Attorneys for Specially Appearing Defendant
Williams

[PROPOSED] ORDER

Pursuant to stipulation, IT IS SO ORDERED. The Court's clerk shall update the Court's docket to reflect that Defendant G. Williams was terminated from this action on January 24, 2018, the date that the Court partially granted Defendants' summary-judgment motion.

Dated: 6/22/2018

SF2016400413
42005204.docx



CERTIFICATE OF SERVICE

Case Name: Charles A. Miller v. CDCR, et al. Case No. 3:16-cv-02431 EMC

I hereby certify that on June 18, 2018, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

STIPULATED REQUEST TO CLARIFY THE COURT'S DOCKET RE: DEFENDANT WILLIAMS; [PROPOSED] ORDER

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on June 18, 2018, at San Francisco, California.

G. Pang
Declarant

SF2016400413
42010218.docx

/s/ G. Pang
Signature